

In re Application of:
QUOC N. DANG et al.
Application No.: 10/628,144
Filed: July 28, 2003
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PATENT
Docket No.: K35A1303

REMARKS

In the pending Office Action, claims 1 and 8 were rejected under the judicially created doctrine of double patenting over claims 1-6 of U.S. Patent No. 6, 606,682. Claims 2, 6, 7, 9, 13, 14, 19 and 20 were rejected as dependent on rejected claims. Claims 15-18 were allowed over the prior art of record.

Applicants respectfully traverse each of the rejections and respectfully request reconsideration of this application in light of the following remarks.

Claims 1 and 8 were rejected under the judicially created doctrine of obviousness-type double patenting as allegedly unpatentable over claims 1-6 of U.S. Patent No. 6, 606,682. A terminal disclaimer accompanies this Amendment. The present application (Application No. 10/628,144) and U.S. Patent No. 6, 606,682 (Application No. 09/552,407) are commonly owned by Western Digital Technologies, Inc. Accordingly, rejections of claim 1 and 8 for double patenting should now be withdrawn.

Dependent claims 2, 6, 7, 9, 13, 14, 19 and 20 likewise should now be allowed.

The amendment to the specification merely corrects a typographical error in the priority claim to the parent application. The parent application was correctly referenced under item 18 on the UTILITY PATENT APPLICATION TRANSMITTAL form accompanying the original filing of this application. The correct priority claim was recognized by the Office as shown by its inclusion on the filing receipt. Accordingly, a petition and surcharge is not required to correct the reference in the first sentence of the specification. See, MPEP 201.11 III.D.

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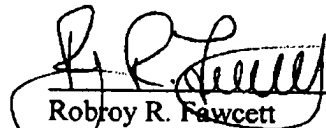
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CONCLUSION

In view of the above amendments and remarks, consideration and prompt evaluation of all pending claims are respectfully requested. If any questions or issues remain, the Examiner is invited to contact the undersigned at the telephone number set forth below so that prosecution of this application can proceed in an expeditious fashion.

Respectfully submitted,

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